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*Ultimate Fighting Championship and UFC*  
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17 **UNITED STATES DISTRICT COURT**

18 **DISTRICT OF NEVADA**

19 Cung Le, Nathan Quarry, Jon Fitch, Brandon  
20 Vera, Luis Javier Vazquez, and Kyle Kingsbury,  
on behalf of themselves and all others similarly  
21 situated,

22 Plaintiffs,

23 v.

24 Zuffa, LLC, d/b/a Ultimate Fighting  
Championship and UFC,

25  
26 Defendant  
27  
28

No.: 2:15-cv-01045-RFB-(PAL)

**DECLARATION OF NICHOLAS A.  
WIDNELL IN SUPPORT OF  
DEFENDANT ZUFFA, LLC'S REPLY  
IN SUPPORT OF MOTION TO  
EXCLUDE THE TESTIMONY OF DR.  
HAL SINGER UNDER FED. R. EVID.  
702 AND DAUBERT**

1 I, Nicholas A. Widnell, declare as follows:

2 1. I am a member in good standing of the bar of the District of Columbia. I am  
3 admitted *pro hac vice* to practice before this Court. I am a Partner in the law firm Boies Schiller  
4 Flexner LLP (“BSF”), counsel for Zuffa, LLC (“Zuffa”) in the above captioned action in the U.S.  
5 District Court for the District of Nevada, *Le et al. v. Zuffa, LLC*, No. 2:15-cv-01045-RFP-PAL.

6 2. I make this declaration in support of Zuffa’s Reply in Support of Motion to Exclude  
7 the Testimony of Dr. Hal Singer under Fed. R. Evid. 702 and *Daubert* and Related Materials  
8 (“Reply”). Based on my review of the files, records, and communications in this case, I have  
9 personal knowledge of the facts set forth in this Declaration and, if called to testify, could and would  
10 testify competently to those facts under oath.

11 3. Certain documents attached to this Declaration have had red boxes added to them.  
12 These red boxes are intended to indicate materials cited in the Motion. The true and correct copies  
13 of materials attached to this declaration are subject to the addition of those red boxes. They are  
14 otherwise unmodified.

15 4. Attached hereto as Exhibit 37 are true and correct copies of excerpts of the transcript  
16 of the September 27, 2017 deposition of Dr. Hal J. Singer taken in this action.

17 5. Attached hereto as Exhibit 38 are true and correct copies of excerpts of the transcript  
18 of the January 23, 2018 deposition of Dr. Hal J. Singer taken in this action.

19 6. Attached hereto as Exhibit 39 is a true and correct copy of the publicly filed version  
20 of the Reply Class Certification Report of Hal J. Singer, Ph.D. in the *Johnson v. Arizona Hospital*  
21 *Care Association* case, No. 07-01292 SRB (D. Ariz. June 23, 2009) (ECF No. 581-1).

22 7. Attached hereto as Exhibit 40 is an exhibit is an exhibit that summarizes 20 studies  
23 cited by Plaintiffs and their experts regarding use of wage share in the field of economics.

24 8. Attached hereto as Exhibit 41 are true and correct copies of excerpts of the transcript  
25 of the August 15, 2017 30(b)(6) deposition of Zuffa, LLC regarding Fighter Compensation taken in  
26 this action.

27 9. Attached hereto as Exhibit 42 are true and correct copies of excerpts of the transcript  
28 of the February 8, 2018 deposition of Professor Alan Manning taken in this action.

10. Attached hereto as Exhibit 43 are true and correct copies of excerpts of the transcript of the December 5, 2017 deposition of Professor Robert H. Topel taken in this action.

11. Attached hereto as Exhibit 44 are true and correct copies of excerpts of the transcript of the January 26, 2018 deposition of Dr. Andrew Zimbalist taken in this action.

12. Attached hereto as Exhibit 45 are true and correct copy of excerpts of the transcript of the April 18, 2017 deposition of Carlos Silva taken in this action.

13. Attached hereto as Exhibit 46 are true and correct copies of excerpts of the transcript of the August 3, 2017 deposition of Scott Coker taken in this action.

14. Attached hereto as Exhibit 47 are true and correct copies of excerpts of the transcript of the deposition of Shannon Knapp taken on April 11, 2017 in this action.

15. Attached hereto as Exhibit 48 is a true and correct copy of a February 2015 article authored by Dr. Hal Singer and Dr. Kevin W. Caves titled “Analyzing *High-Tech Employee*: The Dos and Don’ts of Proving (and Disproving) Classwide Antitrust Impact in Wage Suppression Cases,” from *Antitrust Source* that I downloaded on May 6, 2018 from [https://ei.com/wp-content/uploads/2017/02/feb15\\_caves\\_2\\_11f.authcheckdam.pdf](https://ei.com/wp-content/uploads/2017/02/feb15_caves_2_11f.authcheckdam.pdf).

16. Attached hereto as Exhibit 49 is a true and correct copy of Professor Robert Topel’s Sur-Rebuttal Expert Report, dated February 12, 2018.

17. Attached hereto as Exhibit 50 is a true and correct copy of Professor Robert Topel’s Reply to the Supplemental Expert Report of Hal J. Singer, Ph.D dated May 7, 2018.

18. Attached hereto as Exhibit 51 is an excerpt from *Alice’s Adventures in Wonderland* by Lewis Carroll.

I declare under penalty of perjury under the laws of the United States of America that the foregoing facts are true and correct. Executed this 7th day of May, 2018 in Washington, D.C.

/s/ Nicholas A. Widnell

Nicholas A. Widnell